

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

In RE: JAMIE LYNN HAUGH,

DEBTOR

JAMIE LYNN HAUGH,

Movant,

V.

FLAGSTAR BANK FSB,

Respondent

NO: 22-21034 CMB

Chapter 13

Docket document No. 38

Related to Claim No. 10

OBJECTION TO CLAIM 10 OF FLAGSTAR BANK, FSB

AND NOW Movant Jamie Lynn Haugh, through her counsel David A. Colecchia, Esq., files the within Objection to Claim of Flagstar Bank, FSB at Claim No. 10. In support of said Objection, the Debtor avers the following:

- 1) This is a core matter for which this Court can enter a final order
- 2) However, if it is later determined this is not a core matter, the Movant consents to this Court entering a final order.
- 3) The Movant is Jamie Haugh, the debtor herein.
- 4) The defendant is Flagstar Bank FSB, hereinafter Flagstar, which is a federally insured depository institution as that term is defined under federal law.
- 5) Attorney Brian Nicholas has entered his appearance on behalf of Flagstar.
- 6) In connection with this Bankruptcy case, Flagstar Bank filed a proof of claim concerning the debtor's mortgage at claim number 10.
- 7) In this proof of claim it alleges the debtor was in arrears with her mortgage in the amount of \$5,026.05.

8) Recently Pennsylvania's Homeowner's Assistance Fund (PAHAF) paid flagstar the sum of \$9,008.82 for Covid relief. A true and correct copy of the relevant portion of the grant paperwork is attached hereto and incorporated herein as Exhibit A.

9) Flagstar has not amended its proof of claim to address this receipt, and thus the curing of Debtor's arrears.

10) As a result, Flagstar's proof of claim is materially inaccurate, and must be amended to account for the additional payment.

11) Under these circumstances, as Flagstar has not accounted for this payment by PAHAF, the Debtor believes and therefore avers an accounting of the loan to account for funds received during the bankruptcy also is necessary and appropriate.

WHEREFORE, Plaintiff Jamie Haugh respectfully requests this Honorable Court disallow the arrears portion of the claim of Flagstar Bank and thereafter order it to account to the Court for all funds received from any party beginning May 4, 2022 until the present.

Respectfully Submitted,

/s/David A. Colecchia, Esquire

Attorney for the debtor
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